

REMARKS

Each of the claims of the present invention requires the transport of IP encapsulated ATM cells from one ATM network associated with a source gateway to another ATM network associated with a destination gateway over an IP backbone network.

Keshav does not disclose or suggest the transport of IP encapsulated ATM cells, as in the present invention. Instead, Keshav relies on the transport of AAL frames. Keshav is not concerned with the transport of ATM cells, entities which are substantially smaller than a frame, because Keshav is only concerned with transferring data between hosts. In contrast, the present invention transfers data between hosts and individual devices, such as telephones.

Because Keshav is transporting frames between hosts, it must also append a header to each frame which it is transporting.

In contrast, the present invention does not need to append a header for transporting ATM cells. Instead, an original header may be used to transport ATM cells of the present invention.

To further point out this aspect of the present invention, claims 1, 24, 25, 30-32 have been amended to indicate that IP encapsulated ATM cells are transported over an IP backbone network from one ATM network associated

with a source gateway to another ATM network associated with a destination gateway without the need to append a header.

It is respectfully submitted that U.S. Patent No. 5,623,605 to Keshav ("Keshav") does not disclose or suggest the transport of IP encapsulated ATM cells from one ATM network to another without the need to append a header, as in the claims of the present invention.

Accordingly, Applicants respectfully request allowance of claims 1, 3, 4, 15, 17, 24, 25 and 30-32.

In addition, claim 17 is patentable over a combination of Keshav in view of Draft ITU-T.H.323 Recommendation (hereafter "H.323").

In particular, claim 17 discloses the use of set-up messages which use a Q.2931 signaling format. There is no disclosure or suggestion in the H.323 document for the use of a Q.2931 signaling format as set-up messages which are exchanged between a source gateway and a destination gateway to transport IP encapsulated ATM cells which use a single header associated with a call, as in claim 17 of the present invention.

The Q.2931 protocol is used to assign VCIs to ATM cells. Contrary to the statement on page 4 of the most recent Office Action, the H.323 document does not inherently use Q.2931 protocol which allows gateways to assign VCIs to ATM cells.

Accordingly, Applicants respectfully request allowance of claim 17.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John E. Curtin at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, P.L.C

By: 

John E. Curtin, Reg. No. 37,602
P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

JEC:psy